

Commodity	Parts per million
Grapefruit	0.1
Grapes	0.1
Lemons	0.1
Oranges	0.1

[FR Doc. 93-14562 Filed 6-18-93; 8:45 am]

BILLING CODE 6560-50-F

40 CFR Part 180

[PP 1E3965/R1197; FRL-4585-4]

RIN 2070-AB78

Pesticide Tolerance for Pendimethalin**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This document establishes a tolerance for residues of the herbicide pendimethalin and its metabolite in or on the raw agricultural commodity dry bulb onions. This regulation to establish a maximum permissible level for residues of the herbicide in or on the commodity was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: This regulation becomes effective June 21, 1993.

ADDRESSES: Written objections, identified by the document control number, [PP 1E3965/R1197], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Emergency Response and Minor Use Section (H7505W), Registration Division, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: No. 1, Sixth Floor, Crystal Station #1, 2800 Jefferson Davis Hwy., Arlington, VA 22202, (703)-308-8783.

SUPPLEMENTARY INFORMATION: In the Federal Register of April 14, 1993 (58 FR 19390), EPA issued a proposed rule that gave notice that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petition (PP) 1E3965 to EPA requesting that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)), propose to establish a tolerance for residues of pendimethalin [N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzenamine] and its metabolite

4-[(1-ethylpropyl)amino]-2-methyl-3,5-dinitrobenzyl alcohol in or on the raw agricultural commodity dry bulb onions at 0.1 part per million (ppm).

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted in the petition and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections with the Hearing Clerk, at the address given above (40 CFR 178.20). The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 10, 1993.

Douglas D. Campt,
Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.361, paragraph (a) table is amended by adding and alphabetically inserting the raw agricultural commodity dry bulb onions, to read as follows:

§ 180.361 Pendimethalin; tolerances for residues.

(a) * * *

Commodity	Parts per million
Onions, dry bulb	0.1

[FR Doc. 93-14566 Filed 6-18-93; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****43 CFR Public Land Order 6983**

[OR-943-4210-06; GP3-163; OR-19025, OR-19032]

Partial Revocation of Two Executive Orders Dated July 2, 1910, and Opening of Lands Subject to Section 24 of the Federal Power Act; Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes two executive orders insofar as they affect 362.17 acres of public lands withdrawn for the Bureau of Land Management's Powersite Reserve Nos. 26 and 66. This action will open approximately 82.17 acres to surface entry. This action will also open approximately 280 acres within Power Project No. 2030 to surface entry, subject to the provision of section 24 of the Federal Power Act. The

revocation and opening are needed to permit conveyance of the lands to the State of Oregon. The lands have been and will remain open to mineral leasing. The lands have been and will remain open to mining, except for the lands within Power Project No. 2030.

EFFECTIVE DATE: July 21, 1993.

FOR FURTHER INFORMATION CONTACT: Donna Kauffman, BLM Oregon State Office, P.O. Box 2965, Portland, Oregon 97208-2965, 503-280-7162.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), and pursuant to the determination by the Federal Energy Regulatory Commission in DVOR-618, it is ordered as follows:

1. The Executive Order dated July 1, 1910, which established Powersite Reserve No. 26, is hereby revoked insofar as it affects the following described land:

Willamette Meridian

T. 11 S., R. 12 E.,
Sec. 27, lot 2 and SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 69.53 acres in Jefferson County.

2. The Executive Order dated July 2, 1910, which established Powersite Reserve No. 66, is hereby revoked insofar as it affects the following described lands:

Willamette Meridian

T. 11 S., R. 12 E.,
Sec. 22, lots 1, 2, and 3, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, lots 1, 2, 3, and 4.

The areas described aggregate 292.64 acres in Jefferson County.

3. At 8:30 a.m. on July 21, 1993, the lands described in paragraphs 1 and 2, except as provided in paragraph 4, will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 8:30 a.m. on July 21, 1993, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. At 8:30 a.m. July 21, 1993, those portions of the following described lands that lie within the boundary of Power Project No. 2030 will be opened to conveyance to the State of Oregon, subject to the provisions of Section 24 of the Federal Power Act of June 10, 1920, 16 U.S.C. 818 (1988), as amended:

Willamette Meridian

T. 11 S., R. 12 E.,
Sec. 22, lots 1, 2, and 3, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 27, lot 2 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, lots 1, 2, 3, and 4.

The areas described aggregate approximately 280 acres in Jefferson County.

Dated: June 8, 1993.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 93-14531 Filed 6-18-93; 8:45 am]

BILLING CODE 4310-33-M

43 CFR Public Land Order 6984

[NM-930-4210-06; NMNM 055653]

Partial Revocation of Public Land Order No. 2051; New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes a public land order insofar as it affects 210.17 acres of public lands withdrawn for New Mexico State University (formerly New Mexico College of Agriculture and Mechanic Arts) for research programs in connection with Federal programs. The lands are no longer needed for this purpose, and the revocation is needed to permit disposal of the lands through sale as directed by Public Law 100-559.

EFFECTIVE DATE: June 21, 1993.

FOR FURTHER INFORMATION CONTACT: Georgiana E. Armijo, BLM New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico 87502, 505-438-7594.

By virtue of the authority vested in the Secretary of the Interior by Section 502 of Public Law 100-559, it is ordered as follows:

1. Public Land Order No. 2051, which withdrew public lands for use by the New Mexico College of Agriculture and Mechanic Arts, now New Mexico State University, for research programs in connection with Federal programs, is hereby revoked insofar as it affects the following described lands:

New Mexico Principal Meridian

T. 23 S., R. 2 E.,
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 35, lots 6 and 7.

The areas described aggregate 210.17 acres in Dona Ana County.

2. The lands described above are hereby made available for conveyance as authorized and directed by Section 502 of Public Law 100-559.

Dated: June 8, 1993.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 93-14533 Filed 6-18-93; 8:45 am]

BILLING CODE 4310-FB-M

43 CFR Public Land Order 6985

[MT-930-4210-06; MTM 41179]

Partial Revocation of Executive Order Dated October 9, 1917; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order partially revokes an executive order insofar as it affects 303 acres of National Forest System land withdrawn for Phosphate Reserve No. 30, Montana No. 7. The land is no longer needed for this purpose, and the revocation is needed to permit disposal of the land through exchange under the General Exchange Act of 1922. This action will open the land to such forms of disposition as may by law be made of National Forest System land. The land is temporarily closed to mining by a Forest Service exchange proposal. The land has been and will remain open to mineral leasing.

EFFECTIVE DATE: July 21, 1993.

FOR FURTHER INFORMATION CONTACT: Sandra Ward, BLM Montana State Office, P.O. Box 36800, Billings, Montana 59107, 406-255-2949.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. The Executive Order dated October 9, 1917, which withdrew National Forest System land as a phosphate reserve, is hereby revoked insofar as it affects the following described land:

Principal Meridian

Gallatin National Forest

T. 8 S., R. 4 E.,

Sec. 27, that portion of the W $\frac{1}{2}$ lying west of the Gallatin River.

The area described contains approximately 303 acres in Gallatin County.

2. At 9 a.m. on July 21, 1993, the land shall be opened to such forms of disposition as may by law be made of National Forest System land, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law.

Dated: June 8, 1993.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 93-14532 Filed 6-18-93; 8:45 am]

BILLING CODE 4310-DN-M

FEDERAL COMMUNICATIONS
COMMISSION

47 CFR Part 15

[ET Docket No. 92-165; FCC 93-260]

Expansion of the Restricted Bands of
OperationAGENCY: Federal Communications
Commission.

ACTION: Final rule.

SUMMARY: The Federal Communications Commission is amending its rules to restrict the operation of low power, non-licensed transmitters within the frequency bands that were recently authorized for Global Maritime Distress and Safety System (GMDSS). This action will protect the frequency bands used by the GMDSS from harmful interference.

EFFECTIVE DATE: July 21, 1993.

FOR FURTHER INFORMATION CONTACT: Errol Chang, Technical Standards Branch, Office of Engineering and Technology, (202) 653-7316.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order (R&O)* in ET Docket No. 92-165, adopted on May 13, 1993 and released June 1, 1993. The full text of this *R&O* is available for inspection and

copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 452-1422, 2100 M Street, NW., suite 204, Washington, DC 20036.

Summary of Report and Order

1. By this action, the Commission is amending part 15 of its rules to restrict the operation of low power, non-licensed transmitters within the frequency bands that were recently authorized for the Global Maritime Distress and Safety System (GMDSS). The GMDSS is an automated ship-to-shore distress alerting system that is an integral part of the maritime search and rescue operations.

2. On July 22, 1992, the Commission adopted a Notice of Proposed Rule Making (Notice) in this proceeding (57 FR 37939, August 21, 1992). The United States Coast Guard was the only party to file comments on the Notice.

3. After considering the comments, the Commission determined that it was in the public interest to adopt rules to protect certain GMDSS frequencies from low power, non-licensed transmitter operating under 47 CFR part 15.

4. Accordingly, it is ordered that pursuant to the authority contained in Section 4 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. Section 154, 303 part 15 of the Commission's Rules is amended as set forth below. It is further ordered that this proceeding is terminated.

5. *Regulatory Flexibility Act.* The final Regulatory Analysis is contained in the complete *Report and Order* of this proceeding.

List of Subjects in 47 CFR Part 15

Communications equipment, Marine safety, Restricted bands.

Amended Text

PART 15—RADIO FREQUENCY
DEVICE

1. The authority citation for part 15 continues to read as follows:

Authority: 47 U.S.C. 4, 301, 302, 303, 304 and 307.

2. Section 15.205 is amended by revising paragraph (a) to read as follows:

§ 15.205 Restricted bands of operation.

(a) Except as shown in paragraph (d) of this section, only spurious emissions are permitted in any of the frequency bands listed below:

MHz	MHz	MHz	GHz
0.090-0.110	16.42-423	399.9-410	4.5-5.25
¹ 0.495-0.505	16.69475-16.69525	608-614	5.35-5.46
2.1735-2.1905	16.80425-16.80475	960-1240	7.25-7.75
4.125-4.128	25.5-25.67	1300-1427	8.025-8.5
4.17725-4.17775	37.5-38.25	1435-1626.5	9.0-9.2
4.20725-4.20775	73-74.6	1645.5-1646.5	9.3-9.5
6.215-6.218	74.8-75.2	1660-1710	10.6-12.7
6.26775-6.26825	108-121.94	1718.8-1722.2	13.25-13.4
6.31175-6.31225	123-138	2200-2300	14.47-14.5
8.291-8.294	149.9-150.05	2310-2380	15.35-16.2
8.362-8.366	156.52475-156.52525	2483.5-2500	17.7-21.4
8.37625-8.38675	156.7-156.9	2655-2900	22.01-23.12
8.41425-8.41475	162.0125-167.17	3260-3267	23.6-24.0
12.29-12.293	167.72-173.2	3332-3339	31.2-31.8
12.51975-12.52025	240-285	3345.8-3356	36.43-36.5
12.57675-12.57725	322-335.4	3600-4400	(²)
13.36-13.41			

¹ Until February 1, 1999, this restricted band shall be 0.490-0.510 MHz.

² Above 38.6

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 93-14523 Filed 6-18-93; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Parts 350, 355, 385, 390, 391, and 395

[FHWA Docket Nos. MC-116, MC-88-12, MC-91-2, MC-91-3, MC-90-2, and MC-92-12]

RIN 2125-AC48, RIN 2125-AC67

Federal Motor Carrier Safety Regulations; Technical Corrections

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule; technical corrections.

SUMMARY: This document corrects final rules that appeared in the *Federal Register* on October 30, 1987, February 1, 1990, July 30, 1992, and February 2, 1993. The corrections are necessary to remove the descriptions for recording total mileage today, home terminal address, and origin and destination; change the references to the driver qualification file requirements; add a provision for motor carriers and drivers in the State of Alaska that was omitted when the exceptions, previously scattered, were consolidated; and make conforming changes to the references to accident reporting requirements.

EFFECTIVE DATE: June 21, 1993.

FOR FURTHER INFORMATION CONTACT: Mr. David Miller, Office of Motor Carrier Standards, (202) 366-2981, or Mr. Charles Medalen, Office of the Chief Counsel, (202) 366-1354, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except legal Federal holidays.

SUPPLEMENTARY INFORMATION: A final rule published in the *Federal Register* on February 2, 1993 (58 FR 6726) amended 49 CFR part 390 and removed part 394, Notification and Reporting of Accidents including § 394.3, Definition of "reportable accident." The remaining references to accident recordkeeping and "reportable" accidents in paragraph (2)(a) of appendix C to part 350, in the paragraph titled Driver Qualifications of appendix A to part 355, and in §§ 385.5(f), 385.7(f), 390.3(f)(2), 390.5, 391.85 and 391.113 are being removed

or changed to conform to the new requirements.

In addition, 49 CFR part 391 was amended by an interim final rule published in the *Federal Register* on February 1, 1990 (55 FR 3546). Section 391.87(e) was redesignated § 391.87(f) in that amendment, but the cross reference to § 391.87(e) in § 391.89 was not amended. In the original final rule of November 21, 1988 (53 FR 47134), § 391.87(e) listed the specific drug testing information required to be retained in driver qualification files. Section 391.89 provided the conditions for release of this specific information, referencing § 391.87(e). The FHWA intended that the reference to this information remain unchanged. The FHWA is, therefore, making a conforming amendment to § 391.89 by changing the cross references from § 391.87(e) to § 391.87(f).

Also, 49 CFR part 395 was amended by a final rule published in the *Federal Register* on July 30, 1992 (57 FR 33638). This rule included technical amendments which consolidated various exceptions to the hours-of-service rules into a new § 395.1, Scope of the rules in this part. Section 395.1(i) should have included four subordinate provisions. The 20-hour rule exception for drivers in the State of Alaska was inadvertently omitted. The FHWA is, therefore, amending part 395 to add the omitted provision to § 395.1(i)(1).

Finally, 49 CFR part 395 was amended by a final rule published in the *Federal Register* on October 30, 1987 (52 FR 41718). The rule included amendments which eliminated the requirements to record total mileage today, home terminal address, origin, and destination on each day's record of duty status. These previously required items were removed from § 395.8(d), although the descriptions of how to record these items were not removed from § 395.8(f). The FHWA is, therefore, amending part 395 to remove §§ 395.8(f)(11), 395.8(f)(12) and 395.8(f)(15). The FHWA is revising § 395.8(f) accordingly.

Rulemaking Analyses and Notices

Regulatory Impact

Because this final rule makes only minor, technical changes to the Federal Motor Carrier Safety Regulations to delete provisions relating to earlier-removed sections on reportable accidents and driver's records of duty status, conform cross references to § 391.87(f) in § 391.89, and incorporate hours of service provision that was inadvertently omitted, prior notice and opportunity for comment are

unnecessary under 5 U.S.C. 553(b)(3)(B). In addition, notice and opportunity for comment are not required under the Department of Transportation's regulatory policies and procedures for the following reason. We anticipate that notice and comment would not result in the receipt of useful information because the FHWA is not exercising discretion in a way that could be meaningfully affected by public comment. Therefore, the FHWA is making these amendments final without notice and opportunity for comment.

We also believe that the minor, merely technical nature of these amendments constitutes good cause to dispense with the 30 day delayed effective date requirement of 5 U.S.C. 553(d). In addition, the restoration of the omitted 20-hour rule for motor carriers and drivers in the State of Alaska creates an exemption from the general rule that a driver of a commercial motor vehicle (CMV) is prohibited from driving after having been on duty for 15 hours following 8 consecutive hours off duty. Thus, this amendment relieves CMV operators driving in the State of Alaska from the 15 hour restriction which might otherwise apply.

Executive Order 12291 (Federal Regulation) and DOT Regulatory Policies and Procedures

The FHWA has determined that this document does not contain a major rule under Executive Order 12291 or a significant regulation under the regulatory policies and procedures of the DOT. It is anticipated that the economic impact of this rulemaking will be minimal. This rule merely (1) removes the references to reportable accidents, (2) removes cross references to § 391.87(e) and adds cross references to § 391.87(f) in § 391.89 to conform to the original regulations, (3) restores a portion of an exception for motor carriers and drivers operating in the State of Alaska which was omitted from a final rule that was previously published, and (4) removes the descriptions for recording certain information on the driver's record of duty status since the requirement for such entries was previously removed.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), the FHWA has evaluated the effects of this rule on small entities. With respect to the restoration of the exception to the 15-hour rule in the State of Alaska, we believe the impact of this action on small entities will be minimal. Because the 20-hour rule was omitted, the 15-

hour rule has applied to motor carriers and their drivers in the State of Alaska since August 31, 1992. No enforcement actions, however, have been brought against motor carriers in Alaska for alleged violations of the 15-hour rule since the 20-hour rule was omitted. As a result, the omission of the 20-hour rule has had little, if any, economic impact on the small carriers of Alaska. We therefore believe that the reinstatement of the 20-hour provision would have an equally limited impact on these small carriers.

After analyzing all of the regulatory amendments made by this rule, the FHWA certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612. Nothing in this document directly preempts any State law or regulation. This final rule does not limit the policymaking discretion of the States. States will, however, be required to adopt this amendment only for the enforcement of interstate operations. Therefore, the FHWA certifies that the final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action contains no information collection requirements for purposes of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520.

National Environmental Policy Act

The FHWA has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulatory Identification Number

A regulatory identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and

October of each year. The RINs contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects

49 CFR Part 350

Grant programs—transportation, Highway safety, Highways and roads, Motor vehicle safety.

49 CFR Part 355

Grant programs—transportation, Highways and roads, Highway safety, Motor vehicle safety.

49 CFR Part 385

Accidents, Motor carriers, Penalties.

49 CFR Part 390

Accidents, Highways and roads, Highway safety, Motor carriers, Motor vehicle safety.

49 CFR Part 391

Drivers, Highway safety, Motor carriers, Motor vehicle safety.

49 CFR Part 395

Driver's record of duty status, Hours of service of drivers, Recordkeeping and reporting requirements.

Issued on: June 15, 1993.

Rodney E. Slater,
Administrator.

In consideration of the foregoing, the FHWA is amending title 49, Code of Federal Regulations, chapter III, subchapter B, parts 350, 355, 385, 390, 391 and 395 as follows:

PART 350—[AMENDED]

1. The authority citation for part 350 continues to read as follows:

Authority: 49 U.S.C. app. 2301-2304, 2505-2507; 49 U.S.C. 3102; sec. 15(d), Pub. L. 101-500, 104 Stat. 1213, 1219; secs. 4002 and 4009, Pub. L. 102-240, 105 Stat. 2140; and 49 CFR 1.48.

2. Paragraph 2(a) of appendix C to part 350 is revised to read as follows:

Appendix C to Part 350—Tolerance Guidelines for Adopting Compatible State Rules and Regulations

* * * * *

2. * * *

(a) States shall not be required to adopt 49 CFR parts 398, 399, 107, 171.15, 171.16 and 177.807 as applicable to either interstate or intrastate commerce. A State is not required to adopt 49 CFR part 178 only if the State can still enforce the standards contained therein.

* * * * *

PART 355—[AMENDED]

3. The authority citation for part 355 continues to read as follows:

Authority: 49 U.S.C. app. 2505-2508; 49 U.S.C. 504 and 3102; 49 CFR 1.48.

4. In part 355, appendix A is amended by removing the word "reportable" from the paragraph entitled *Driver Qualifications*.

PART 385—[AMENDED]

5. The authority citation for part 385 continues to read as follows:

Authority: 49 U.S.C. 104, 504, 521(b)(5)(A), and 3102; 49 U.S.C. app. 1814; 49 U.S.C. app. 2505 and 2512; sec. 15(b)(2), Pub. L. 101-500, 104 Stat. 1213, 1219; 49 CFR 1.48.

6. Paragraph (f) of § 385.5 is revised to read as follows:

§ 385.5 Safety fitness standard.

* * * * *

(f) Failure to maintain accident registers and copies of accident reports (part 390),

* * * * *

7. Paragraph (f) of § 385.7 is revised to read as follows:

§ 385.7 Factors to be considered in determining a safety rating.

* * * * *

(f) Frequency of accidents; hazardous materials incidents; accident rate per million miles; preventable accident rate per million miles; and other accident indicators; and whether these accident and incident indicators have improved or deteriorated over time.

* * * * *

PART 390—[AMENDED]

8. The authority citation for part 390 continues to read as follows:

Authority: 49 U.S.C. app. 2503 and 2505; 49 U.S.C. 3102 and 3104; and 49 CFR 1.48.

9. Paragraph (f)(2) of § 390.3 is revised to read as follows:

§ 390.3 General applicability.

* * * * *

(f) * * *

(2) Transportation performed by the Federal government, a State, or any political subdivision of a State, or an agency established under a compact between States that has been approved by the Congress of the United States. The accident recordkeeping requirements of § 390.15 of this part remain applicable to the entities identified in this paragraph when engaged in the interstate charter transportation of passengers;

* * * * *

10. In § 390.5, the definition of "Principal place of business" is revised to read as follows:

§ 390.5 Definitions.

Principal place of business means a single location designated by the motor carrier, normally its headquarters, where records required by parts 387, 390, 391, 395, and 396 of this subchapter will be maintained. Provisions in this subchapter are made for maintaining certain records at locations other than the principal place of business.

PART 391—[AMENDED]

11. The authority citation for part 391 continues to read as follows:

Authority: 49 U.S.C. app. 2505; 49 U.S.C. 504 and 3102; and 49 CFR 1.48.

12. In § 391.85, the introductory text of the definition of "Non-suspicion-based post-accident testing" is revised to read as follows:

§ 391.85 Definitions.

Non-suspicion-based post-accident testing means testing of a commercial motor vehicle driver after an accident, as defined in § 390.5 of this subchapter:

13. Section 391.89 is revised to read as follows:

§ 391.89 Access to individual test results or test findings.

(a) No person may obtain the individual test results retained by a medical review officer, and no medical review officer shall release the individual test results of any employee to any person, without first obtaining written authorization from the tested employee. Nothing in this paragraph shall prohibit a medical review officer from releasing, to the employing motor carrier, the information delineated in § 391.87(f) of this subpart.

(b) No person may obtain the information delineated in § 391.87(f) of this part and retained by a motor carrier, and no motor carrier shall release such information about any employee or previous employee, without first obtaining written authorization from the tested employee.

14. Paragraph (a) in § 391.113 is revised to read as follows:

§ 391.113 Post-accident testing requirements.

(a) A driver shall provide a urine sample to be tested for the use of controlled substances as soon as

possible, but not later than 32 hours, after an accident, as defined in § 390.5 of this subchapter, if the driver of the commercial motor vehicle receives a citation for a moving traffic violation arising from the accident.

PART 395—[AMENDED]

15. The authority citation for part 395 continues to read as follows:

Authority: 49 U.S.C. 3102; 49 U.S.C. app. 2505; and 49 CFR 1.48.

16. Paragraph (i)(1) of § 395.1 is revised to read as follows:

§ 395.1 Scope of rules in this part.

(i) *State of Alaska.*

(1) The provisions of § 395.3 shall not apply to any driver who is driving a commercial motor vehicle in the State of Alaska. A driver who is driving a commercial motor vehicle in the State of Alaska must not drive or be required or permitted to drive—

(i) More than 15 hours following 8 consecutive hours off duty;

(ii) After being on duty for 20 hours or more following 8 consecutive hours off duty;

(iii) After having been on duty for 70 hours in any period of 7 consecutive days, if the motor carrier for which the driver drives does not operate every day in the week; or

(iv) After having been on duty for 80 hours in any period of 8 consecutive days, if the motor carrier for which the driver drives operates every day in the week.

17. Paragraph (f) of § 395.8 is revised to read as follows:

§ 395.8 Driver's record of duty status.

(f) The driver's activities shall be recorded in accordance with the following provisions:

(1) *Entries to be current.* Drivers shall keep their records of duty status current to the time shown for the last change of duty status.

(2) *Entries made by driver only.* All entries relating to driver's duty status must be legible and in the driver's own handwriting.

(3) *Date.* The month, day and year for the beginning of each 24-hour period shall be shown on the form containing the driver's duty status record.

(4) *Total miles driving today.* Total mileage driven during the 24-hour period shall be recorded on the form containing the driver's duty status record.

(5) *Vehicle identification.* The carrier's vehicle number or State and license number of each truck, truck tractor and trailer operated during that 24-hour period shall be shown on the form containing the driver's duty status record.

(6) *Name of carrier.* The name(s) of the motor carrier(s) for which work is performed shall be shown on the form containing the driver's duty status record. When work is performed for more than one motor carrier during the same 24-hour period, the beginning and finishing time, showing a.m. or p.m., worked for each carrier shall be shown after each carrier name. Drivers of leased vehicles shall show the name of the motor carrier performing the transportation.

(7) *Signature/certification.* The driver shall certify to the correctness of all entries by signing the form containing the driver's duty status record with his/her legal name or name of record. The driver's signature certifies that all entries required by this section made by the driver are true and correct.

(8) *Time base to be used.* (i) The driver's duty status record shall be prepared, maintained, and submitted using the time standard in effect at the driver's home terminal, for a 24-hour period beginning with the time specified by the motor carrier for that driver's home terminal.

(ii) The term "7 or 8 consecutive days" means the 7 or 8 consecutive 24-hour periods as designated by the carrier for the driver's home terminal.

(iii) The 24-hour period starting time must be identified on the driver's duty status record. One-hour increments must appear on the graph, be identified, and preprinted. The words "Midnight" and "Noon" must appear above or beside the appropriate one-hour increment.

(9) *Main office address.* The motor carrier's main office address shall be shown on the form containing the driver's duty status record.

(10) *Recording days off duty.* Two or more consecutive 24-hour periods off duty may be recorded on one duty status record.

(11) *Total hours.* The total hours in each duty status: off duty other than in a sleeper berth; off duty in a sleeper berth; driving, and on duty not driving, shall be entered to the right of the grid, the total of such entries shall equal 24 hours.

(12) *Shipping document number(s) or name of shipper and commodity* shall be shown on the driver's record of duty status.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration (NOAA)

50 CFR Parts 611 and 672

[Docket No. 921107-3149; I.D. 052693B]

Foreign Fishing; Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final 1993 initial specifications for Pacific ocean perch and the "other species" category, and closures to directed fishing.

SUMMARY: NMFS announces the final 1993 initial harvest specifications of total allowable catch (TAC) for Pacific ocean perch (POP) in the Gulf of Alaska (GOA), and a corresponding adjustment to the final TAC specifications for "other species." These actions are necessary to establish harvest limits for POP, and to adjust accordingly the TAC specifications for "other species" during the 1993 fishing year. NMFS also is closing specified areas to directed fishing for POP consistent with the final 1993 initial specifications for POP. These actions are intended to carry out management objectives contained in the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP).

DATES: The final 1993 initial specifications for POP, the adjusted TAC specifications for "other species," and the specified closures to directed fishing for POP are effective at 12 noon, Alaska local time (A.l.t.), June 18, 1993. The closures to directed fishing are effective through 12 midnight, A.l.t., December 31, 1993.

ADDRESSES: Copies of a Final Environmental Assessment of 1993 Groundfish Total Allowable Catch Specifications for the Gulf of Alaska, dated February 1993 (EA), may be obtained from the Fisheries Management Division, Alaska Region, NMFS, Box 21668, Juneau, Alaska 99802. The Final Stock Assessment and Fishery Evaluation Report for the 1993 Gulf of Alaska Groundfish Fishery, dated November 1992 (SAFE Report), and the Analysis of Alternative Harvest Policies for Rebuilding Pacific Ocean Perch in the Gulf of Alaska, dated 20 May 1993, are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, Alaska 99510.

FOR FURTHER INFORMATION CONTACT: Jessica A. Gharret, Fishery Management Biologist, Alaska Region, NMFS, (907) 586-7230.

SUPPLEMENTARY INFORMATION:

Background

NMFS announces for the 1993 fishing year: (1) Acceptable biological catch (ABC) and total allowable catch (TAC) amounts for POP in the GOA and an apportionment of TACs among domestic annual processing (DAP), joint venture processing (JVP), and total allowable level of foreign fishing (TALFF); (2) inseason adjustment to the "other species" TAC specifications; and (3) specified area closures to directed fishing for POP. A discussion of each of these measures follows.

1. Specification of POP TAC

The North Pacific Fishery Management Council (Council) met December 8-13, 1992, to review current scientific information and consider public testimony regarding 1993 groundfish stocks and fisheries, and to recommend final 1993 specifications of TAC. Scientific information is contained in the SAFE Report, which was prepared and presented by the GOA Plan Team to the Council and the Council's Scientific and Statistical Committee (SSC) and Advisory Panel (AP). After consideration of Council recommendations and all other relevant information, NMFS, under 50 CFR 672.20(c)(1)(ii)(B), established final 1993 initial specifications for GOA groundfish, except for POP (58 FR 16787, March 31, 1993). For the reasons given below, NMFS requested that the Council reconsider its recommended specifications for POP at its April 1993 meeting.

The Council, at its December 1992 meeting, reviewed updated scientific information about POP life history, stock status, and commercial exploitation presented in the SAFE Report and in testimony to the Council and its committees, and recommended a 1993 POP ABC and TAC of 5,560 metric tons (mt) and 2,560 mt, respectively. The Council recommended the reduced TAC because scientific information indicates that POP stocks are depressed compared to historical, pre-exploitation levels, and that a high level of uncertainty is associated with stock assessment methodology. The Council believed that, on a Gulf-wide basis, the 2,560 mt TAC was anticipated to be sufficient to provide for unavoidable bycatch of POP in remaining trawl fisheries, and that a low TAC was necessary to rebuild POP stocks. The Council stated its desire to reduce the POP mortality, maintain non-POP fisheries, and avoid unnecessary waste and discards.

NMFS declined to specify an initial 1993 POP TAC at the time all other GOA groundfish TACs were specified (58 FR 16787, March 31, 1993) because of: (1) The requirements of the FMP at Section 2.1 to consider costs and benefits prior to undertaking of stock rebuilding plans; (2) the anticipated availability of additional biological and socioeconomic information on POP to be incorporated in a draft stock rebuilding analysis, scheduled to be reviewed by the Council at its April 1993 meeting; and (3) the potentially large value foregone to the trawl industry if the recommended TAC was implemented, as presented in testimony to the Council and in comments received by NMFS after the December 1992 meeting. NMFS instead referred the recommended specifications for POP back to the Council for reconsideration at its April 1993 meeting.

At its April 1993 meeting, the Council received public testimony and considered the draft analysis of alternatives for rebuilding POP stocks. Among other items, the POP rebuilding analysis presented information requested at earlier meetings by the Plan Team, SSC, AP, and an industry rockfish committee on an appropriate stock-recruitment relationship, optimal fishing exploitation rate (F_{MSY}), corresponding target biomass for rebuilding (B_{MSY}), and an evaluation of the economic costs and benefits associated with four stock rebuilding alternatives. In the normal course of events, this new information would not be incorporated in the stock assessment/specification process until the next annual cycle, here, the one for the 1994 groundfish specifications, when it could be reviewed and approved by the Plan Team. However, based on the new information and on comments by the SSC that, on the basis of the analysis, both the 1993 ABC and overfishing levels would have been set at F_{MSY} of 3,378 mt, the Council recommended that amount as both a new 1993 ABC and overfishing level. After public testimony, the Council also reiterated its original TAC recommendation of 2,560 mt as an appropriate harvest level for 1993.

The Council did not specifically address the distribution of POP ABC or TAC within the GOA at its April 1993 meeting. Groundfish ABCs and TACs have in the past been apportioned among the Regulatory areas and Districts in accordance with biomass distribution to reduce the potential for localized depletion and to make groundfish available to harvesters all over the GOA. This was also the Council

recommendation for the distribution of 1993 POP ABC and TAC in December 1992. However, distribution of the POP TAC based solely on biomass distribution would not fulfill Council expectations for POP management because the majority of trawl activity and highest need for POP bycatch is the Central Regulatory Area, while the highest abundance of POP occurs in the Eastern Regulatory Area. Therefore, insufficient amounts of POP would be available to support trawl fisheries in the Central Regulatory Area, and amounts excess to bycatch needs would be available in the other two areas. After attainment of the TAC in the Central Regulatory Area, continuing trawl fisheries would accrue additional POP, which would have to be discarded despite 100 percent mortality of these fish. In order to minimize such waste and discards and disruption of trawl fisheries, while at the same time reducing the risk of localized depletion of POP, NMFS is distributing the TAC among regulatory areas in another manner. TAC is distributed first, in accordance with the distribution of POP biomass; second, in accordance with anticipated bycatch needs; and last, as limited by the apportioned ABC for each regulatory area. The resultant apportionments of TAC for the Western, Central, and Eastern Regulatory Areas, respectively, are: 341 mt, 949 mt, and 1,270 mt (Table 1, Revised). NMFS estimates that in the Central Regulatory Area, additional amounts of POP may be caught during anticipated 1993 trawl fisheries, which could neither be retained nor survive to contribute to future recruitment of POP. However, overfishing has been established in a Gulf-wide basis and would not be reached solely on the basis of Central Regulatory Area fishing activities. As required by the FMP and implementing regulations, NMFS will take steps necessary to minimize waste, prevent overfishing while achieving the optimum yield (OY) of all groundfish species, including early curtailment of fisheries that have significant bycatches of POP in the GOA, and promote efficiency in resource utilization.

The Council previously recommended that DAP equal TAC for each groundfish species category, resulting in no TALFF or JVP apportionments for any groundfish for the 1993 fishing year.

Under 50 CFR 672.20(a)(2)(ii), the sum of the TACs for all species must fall within the combined OY range established for these species—116,000–800,000 mt. After specification of the 1993 initial TAC for POP, and adjustment of the specifications for

"other species," the OY remains within this allowable range.

NMFS has reviewed the Council's recommendations for final 1993 POP ABC and TAC specifications and hereby approves these specifications under 50 CFR 672.20(c)(1)(ii)(B); the POP TAC is apportioned among regulatory areas within the GOA according to the stated goals of the Council and consistent with the best available scientific information about the POP resource.

2. Adjustment of TAC for "Other Species"

The FMP specifies that the TAC amount for the "other species" category is equal to 5 percent of the combined TACs for target species. The TAC of "other species" was previously specified for each regulatory area as 5 percent of the sum of all target groundfish TACs except POP, including 5 percent of the interim TAC for POP (58 FR 16787, March 31, 1993). The Director, Alaska Region (Regional Director) has adjusted the "other species" TAC for each regulatory area to reflect the final TAC specifications for POP. Resultant adjusted 1993 TACs of "other species" are shown in Table 1 (Revised).

3. Closures to Directed Fishing for POP

Notifications in the Federal Register of proposed and final 1993 interim specifications of groundfish and associated management measures for the GOA (57 FR 57982, December 8, 1992, and 58 FR 16787, March 1993, respectively), contained closures to directed fishing for POP during 1993. Under 50 CFR 672.20(c)(2)(ii), the Regional Director has determined that the TAC for POP specified for the Western, Central, and Eastern Regulatory Areas will be needed as incidental catch to support other anticipated groundfish fisheries during 1993. Although the estimated bycatch needs for POP in the Eastern Regulatory Area are substantially less than the available TAC, industry representatives have indicated that a fishery for the "other rockfish" category may expand significantly as a remedy to the lower availability of POP during 1993. The Regional Director has determined that available POP will be needed as bycatch to support other directed fisheries in that regulatory area. Therefore, the Regional Director is establishing directed fishing allowances of zero mt and prohibiting directed fishing for the remainder of the fishing year for POP in the Western, Central, and Eastern Regulatory Areas. Directed fishing standards may be found at 50 CFR 672.20(g). These closures to directed

fishing could be rescinded if and when remaining POP is determined to no longer be needed as bycatch during 1993.

Response to Comments

Written comments on the proposed 1993 initial specifications and other management measures were requested until January 4, 1993. The Regional Director received four comments on the Council recommendations for 1993 rockfish TACs during the comment period. Comments on rockfishes other than POP were addressed in a previous Federal Register notice (58 FR 16787, March 31, 1993). Of the four letters, two expressed support for the Council's December 1992 recommendation of TAC for POP (2,560 mt), and two supported a higher TAC for POP. Because the Council at its April 1993 meeting again recommended a final 1993 POP TAC of 2,560 mt, those comments remain relevant to this action, and are summarized and responded to below.

Comment 1: The 1993 TAC recommended for POP by the Council (2,560 mt) is appropriate. POP stocks have been heavily exploited and remain depleted relative to historic pre-exploitation levels. The Magnuson Act mandates that regional councils rebuild depleted fish stocks. The recommended TAC was calculated using a reduced exploitation rate. It was the only stock projection presented to the Council at its December 1992 meeting that had a high probability of rebuilding the stocks to a commonly accepted reference level in a "reasonable" period of time.

Response: NMFS approved the Council's recommended TAC for POP. NMFS agrees that POP have been heavily exploited, and that the population is currently below historic "unfished" levels and may be in need of rebuilding. NMFS concurs with the Council's action to analyze alternatives for possible adoption of a stock rebuilding plan as required by the FMP.

Comment 2: The POP TAC recommended by the Council is unjustifiably low; TAC should be set at or slightly below ABC. The ABC adopted by the Council and recommended by its advisory bodies in December 1992 for 1993 (5,560 mt) is based on the best available scientific information and incorporates a conservative adjustment for the status of the POP population relative to a commonly accepted reference level. The population of POP is low but stable, and current fishing is not the cause of large declines in prior years. NMFS can effectively manage a TAC set at or near ABC. At current exploitation rates incorporated in the ABC, recruitment

will occur under favorable environmental conditions.

Response: NMFS believes that a reduced TAC for POP is justified on biological grounds because of uncertainties about the knowledge about rockfish biology, historic exploitation levels, and population status, and because the current ABC is 3,378 mt, equal to the overfishing level. The 1993 ABC for POP recommended in December 1992, 5,560 mt, was the product of a rigorous analysis of available data. However, after review of new information presented to the Council and its committees in April 1993 as part of an analysis of potential POP stock rebuilding programs, the SSC indicated that it would have adopted an ABC and overfishing level of 3,378 mt had that information been available in December 1992. The Council subsequently adopted 3,378 mt as the ABC and overfishing level. Additionally, current POP stock survey methodology will benefit from continual reevaluation of methods, and the spawn-recruit relationship for POP is not well understood. Finally, changes in biomass and recruitment patterns for species such as pollock and arrowtooth flounder may indicate large-scale changes in the GOA ecosystem. If such environmental changes limit environmental conditions favorable for POP, then all sources of mortality, including that from commercial fishing, could reduce the probability of successful recruitment. These factors support a conservative TAC to improve

the probability of maintenance of the POP stocks.

Comment 3: The recommended TAC for POP establishes a "bycatch only" management regime and will result in unnecessary waste and discards of POP bycatch in other groundfish fisheries once TAC has been achieved and POP may no longer be retained.

Response: Estimation of bycatch needs for POP in 1992 groundfish fisheries indicates that the recommended 1993 TAC for POP will support non-POP trawl fisheries at levels experienced in 1992 (or at increased levels for some species), except in the Central Regulatory Area. NMFS distributed the recommended overall TAC among GOA Regulatory areas to accomplish the Council goals of decreasing POP fishing mortality with minimum disruption to existing groundfish fisheries, and to avoid unnecessary waste and discards.

Comment 4: The POP TAC recommended by the Council was politically motivated to limit trawl activity in the GOA.

Response: The POP TAC recommended by the Council is justifiable for conservation and management of the POP stock. Political or other motivations are not germane.

Classification

This action is authorized under 50 CFR 611.92 and 672.20 and complies with E.O. 12291.

NMFS prepared an EA on the 1993 TAC specifications. The Assistant Administrator for Fisheries, NOAA,

concluded that no significant impact on the human environment will result from their implementation. The initial POP TAC, adjusted "other species" TAC, and sum of all 1993 groundfish TACs in the GOA are unchanged from those for which the EA was prepared, and the conclusion of that document remains valid.

Pursuant to section 7 of the Endangered Species Act (ESA), an informal consultation about effects of the final 1993 initial groundfish specifications on: (1) Steller sea lions was concluded on January 27, 1993; (2) listed species of Pacific salmon on April 21, 1993; and, (3) listed, proposed and candidate seabirds was concluded on February 1 and clarified on February 12, 1993. The Regional Director has determined that fishing activities conducted under this rule would not affect endangered or threatened species under the ESA in a manner not already considered in these information consultations concluded for the 1993 groundfish specifications.

List of Subjects

50 CFR Part 611

Fisheries, Foreign relations.

50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 et seq.

Dated: June 16, 1993.

Gary Matlock,

Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.

TABLE 1 (REVISED).—FINAL 1993 SPECIFICATIONS FOR OVERFISHING LEVELS, ACCEPTABLE BIOLOGICAL CATCHES (ABC), AND TOTAL ALLOWABLE CATCHES (TAC) FOR THE WESTERN/CENTRAL (W/C), WESTERN (W), CENTRAL (C), AND EASTERN (E) REGULATORY AREAS AND IN THE SHUMAGIN (SH), CHIRIKOF (CH), KODIAK (KD), WEST YAKUTAT (WYK), AND SOUTHEAST OUTSIDE (SEO) DISTRICTS OF THE GULF OF ALASKA (GW).

[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons]

Species	Overfishing level	Area ¹	ABC	TAC=DAP
Pollock ²	286,000	SH	34,068	24,087
		CH	36,737	25,974
		KD	86,195	60,939
		W/C	157,000	111,000
	9,020	E	3,400	3,400
		Total	160,400	114,400
Pacific cod ³	78,100	W	18,700	18,700
		C	35,200	35,200
		E	2,800	2,800
		Total	56,700	56,700
Deep water flatfish ⁴		W	2,020	1,740
		C	35,580	15,000
		E	7,930	3,000

TABLE 1 (REVISED).—FINAL 1993 SPECIFICATIONS FOR OVERFISHING LEVELS, ACCEPTABLE BIOLOGICAL CATCHES (ABC), AND TOTAL ALLOWABLE CATCHES (TAC) FOR THE WESTERN/CENTRAL (W/C), WESTERN (W), CENTRAL (C), AND EASTERN (E) REGULATORY AREAS AND IN THE SHUMAGIN (SH), CHIRIKOF (CH), KODIAK (KD), WEST YAKUTAT (WYK), AND SOUTHEAST OUTSIDE (SEO) DISTRICTS OF THE GULF OF ALASKA (GW)—Continued

[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons]

Species	Overfishing level	Area ¹	ABC	TAC=DAP
	59,650	Total	45,530	19,740
Shallow water flatfish ⁵		W	27,480	4,500
		C	21,260	10,000
		E	1,740	1,740
	70,860	Total	50,480	16,240
Flathead sole		W	12,580	2,000
		C	31,830	5,000
		E	5,040	3,000
	64,780	Total	49,450	10,000
Arrowtooth flounder		W	38,880	5,000
		C	253,330	20,000
		E	29,080	5,000
	451,690	Total	321,290	30,000
Sablefish ⁶		W	2,030	2,030
		C	9,610	9,610
		WYK	3,830	3,830
		SEO	5,430	5,430
	27,750	Total	20,900	20,900
Northern rockfish ⁷		W	1,000	1,000
		C	4,720	4,720
		E	40	40
	10,360	Total	5,760	5,760
Other rockfish ⁸		W	330	214
		C	1,640	1,064
		E	6,330	4,105
	9,850	Total	8,300	5,383
Pacific ocean perch ⁹		W	753	341
		C	949	949
		E	1,676	1,270
	3,378	Total	3,378	2,560
Shortraker/rougheye rockfish ¹⁰		W	100	90
		C	1,290	1,161
		E	570	513
	2,900	Total	1,960	1,764
Pelagic shelf rockfish ¹¹		W	1,010	1,010
		C	4,450	4,450
		E	1,280	1,280
	11,300	Total	6,740	6,740
Demersal shelf rockfish ¹²	1,600	SEO	800	800
Thornyhead rockfish	1,441	GW	1,180	1,062
Other species ¹³		W	NA	3,053
		C	NA	9,721
		E	NA	1,828
	NA	Total	NA	14,602
Total			732,868	306,651

Footnotes:

¹ See figure 1 of § 672.20 for description of regulatory areas/districts.

TABLE 1 (REVISED).—FINAL 1993 SPECIFICATIONS FOR OVERFISHING LEVELS, ACCEPTABLE BIOLOGICAL CATCHES (ABC), AND TOTAL ALLOWABLE CATCHES (TAC) FOR THE WESTERN/CENTRAL (W/C), WESTERN (W), CENTRAL (C), AND EASTERN (E) REGULATORY AREAS AND IN THE SHUMAGIN (SH), CHIRIKOF (CH), KODIAK (KD), WEST YAKUTAT (WYK), AND SOUTHEAST OUTSIDE (SEO) DISTRICTS OF THE GULF OF ALASKA (GW)—Continued

[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons]

Species	Overfishing level	Area ¹	ABC	TAC=DAP
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² TAC for W/C Regulatory Area is 111,000 mt, representing the sum of the Shumagin (SH), Chirikof (CH), and Kodiak (KD) districts. The category pollock is allocated entirely to vessels catching pollock for processing by the inshore component after subtraction of an amount that is projected by the Regional Director to be caught by, or delivered to, the offshore component incidental to fishing for other groundfish species.

³ The category Pacific cod is allocated 90 percent to vessels catching Pacific cod for processing by the inshore component and 10 percent to vessels catching Pacific cod for processing by the offshore component (Table 4).

⁴ The category "deep water flatfish" means rex sole, Dover sole, and Greenland turbot.

⁵ The category "shallow water flatfish" means flounders not including "deep water flatfish," flathead sole, or arrowtooth flounder.

⁶ The category sablefish is allocated to trawl and hook-and-line gears (Table 2).

⁷ The category Northern rockfish (*Sebastes polyspinis*) was previously part of the "Other rockfish" complex.

⁸ The category "other rockfish" in the Western and Central Regulatory Areas and in the West Yakutat District includes slope rockfish, and demersal shelf rockfish as defined in #12 below. The category "other rockfish" in the Southeast Outside District includes only the slope rockfish.

Slope rockfish means all members of the genus *Sebastes* not defined as pelagic shelf rockfish, demersal shelf rockfish, or Pacific ocean perch, including the following:

Sebastes aurora (aurora rockfish), *S. melanostomus* (blackgill rockfish), *S. paucispinis* (bocaccio), (*S. goodei* (chillipepper rockfish), *S. crameri* (darkblotch rockfish), *S. elongatus* (greenstriped rockfish), *S. variegatus* (harlequin rockfish), *S. wilsoni* (pygmy rockfish), *S. proriger* (redstripe rockfish), *S. zacentrus* (sharpchin rockfish), *S. jordani* (shortbelly rockfish), *S. brevispinis* (silverygrey rockfish), *S. diploproa* (splitnose rockfish), *S. saxicola* (Stripetail rockfish), *S. miniatus* (Vermilion rockfish), and *S. reedi* (Yellowmouth rockfish).

⁹ The category "Pacific ocean perch" means *Sebastes alutus*.

¹⁰ The category "shortraker/rougheye rockfish" includes *Sebastes borealis* and *S. aleutianus*, respectively.

¹¹ The category "pelagic shelf rockfish" includes: *Sebastes melanops* (black rockfish), *S. mystinus* (blue rockfish), *S. ciliatus* (dusky rockfish), *S. entomelas* (widow rockfish), and *S. flavidus* (yellowtail rockfish).

¹² The category "demersal shelf rockfish" includes: *Sebastes pinniger* (canary rockfish), *S. nebulosus* (China rockfish), *S. caurinus* (copper rockfish), *S. maliger* (quillback rockfish), *S. babcocki* (redbanded rockfish), *S. helvomaculatus* (rosethorn rockfish), *S. nigrocinctus* (tiger rockfish), and *S. ruberrimus* (yelloweye rockfish).

¹³ The category "other species" includes Atka mackerel, sculpins, sharks, skates, eulachon, smelts, capelin, squid, and octopus. The TAC is equal to 5 percent of the sum of TACs of target species in each Regulatory Area.

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